**Montana Best Practices & Standards**

Draft 12-15-15

**Key Component #1: Drug Court integrates alcohol and other drug treatment services with justice system case processing.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| A | **1** | **Staff and team members have reviewed Montana drug court statutes** | Fully met: all staff and team membersPartially met: some staff and team membersNot met: no | 63, fully met = choice a, partially met = choice b |  |  |
| A | **2** | **There is a Memorandum of Understanding (MOU) in place between the Drug Court team members (and/or the associated agencies).** | Y/N*Y = MOU with all team members* | 64 |  |  |
| A | **3** | **The Drug Court has a current contract or MOU with a treatment provider. [[1]](#footnote-1)** | Y/N | 65 |  |  |
| A | **4** | **The Drug Court has a policy and/or procedure manual.** | Y/N | 66 |  |  |
| A | **5** | **The program has a participant manual or handbook.** | Y/N | 136 |  |  |
| A | **6** | **The program has a participant contract.** | Y/N | 137 |  |  |
| A | **7** | **The program has a written consent or release of information form that specifies what information will be shared among team members.** *NOTE: please check consent form to ensure it has 9 required elements (see authorization checklist) - add comments to team if elements need to be added.* | Fully met: Yes to both questions and review of consent shows all 9 elements are presentPartially met: Yes to one of questions and/or consent has most of the required itemsNot met: No to both survey questions and/or fewer than half of the required consent form elements | 138, 139, and review of consent form |  |  |
| H | **8** | **There is frequent email communication between the court and treatment providers regarding each participant’s overall program performance.****Content of email communication includes: 1) treatment attendance, 2) dates of missed appointments, 3) brief progress note (including what participant is studying), 4) recommendations from provider for judge.** | Fully met: email communication plus content fully coveredPartially met: email, but content not fully coveredNot met: email not used or not used consistently | 89, row 4AND91, all options a through d |  |  |
|  | **9** | **Clinically trained representatives from treatment agencies are core members of the Drug Court team and regularly attend team meetings and status hearings (court sessions).** | Fully met: treatment attends both team meetings and status hearingsPartially met: treatment attends either team meetings or status hearingsNot met: treatment does not attend or is not member of team | 71, row 3, option a (Always)And 72, row 3, option a (Always) |  |  |
|  | **10** | **Law enforcement is a member of the Drug Court team and attends team meetings and status hearings (court sessions).** | Fully met: law enforcement attends both team meetings and status hearingsPartially met: law enforcement attends either team meetings or status hearingsNot met: law enforcement does not attend or is not member of team | 71, row 8, option a (Always)And 72, row 8, option a (Always) |  |  |
|  | **11** | **All key team members attend team meetings (staffings) and status hearings (court sessions) [Judge, prosecutor, defense attorney, treatment representative(s), drug court coordinator, probation, law enforcement.]** | Fully met: all team members attend both team meetings and status hearingsPartially met: all team members attend either team meetings or status hearingsNot met: all team members attend | 71, rows 1, 2, 3, 5, 6, 7, 8, option a (Always)And 72, rows 1, 2, 3, 5, 6, 7, 8, option a (Always) |  |  |

**Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| A | **12** | **A validated risk-assessment is used to determine “high-risk” and “high-need”**  | Y/N | 28 and 29 and 32(confirm that tool indicated in 29 is validated) |  |  |
|  | **13** | **Program admits only participants who are high risk/high need** | Y/N | 31 only a and 35 = yes and 36 = no |  |  |
| A | **14** | **An alternative track has been developed for those outside of high-risk, high-need.** | Y/N/NA | 37 = a |  |  |
| A | **15** | **A review of the case and criminal history check is conducted[[2]](#footnote-2) to determine if the defendant is eligible for the Drug Court program.** | Y/N | 14 |  |  |
| A | **16** | **The Drug Court team understands Montana’s definition of “sexual or violent offense.”** *Note: please interview coordinator and prosecutor to ensure definition of sexual or violent offense meets Montana’s criteria.*  | Y/N | Interview team members |  |  |
| A | **17** | **No one is admitted to drug court who has been previously convicted of a sexual or violent offense.** | Y/N | 26, rows 13 AND 14 |  |  |
|  | **18** | **Defense counsel advises the defendant as to the nature, purpose, and rules of the Drug Court.** | Y/N | 17 |  |  |
| A | **19** | **The Drug Court defines in policy the current or prior offenses that may disqualify candidates for Drug Court and the reasons why.** | Y/N | 11 |  |  |
|  | **20** | **The Drug Court defines what candidates are clinically disqualified and the reasons for the disqualification, e.g., psychiatric or medical services are not available. Disqualifications do not occur because of co-occurring disorder, medical conditions, or legally prescribed medication.** | Y/N | 19and26 rows 2-9 = no  |  |  |
|  | **21** | **Drug Court allows non-drug charges that were driven by alcohol and other drug dependence.** | Y/N | 26 row 12 = no |  |  |
|  | **22** | **Drug Court communicates eligibility and exclusion criteria to potential referral sources** | Y/N | 10 = all agencies have them |  |  |

**Key Component #3: Eligible participants are identified early and promptly placed in the drug court program.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| H | **23** | **The initial appearance before the drug court judge occurs soon after arrest or apprehension (50 days or less).** | Y/N | 44, options 1-5 |  |  |
| A | **24** | **Specific drug court team members are designated to screen cases and identify potential drug court participants.** | Y/N | 12 |  |  |
|  | **25** | **Program caseload/census (number of individuals actually participating at any one time) is less than 125 – or – program demonstrates it has sufficient resources and intensity to serve a larger caseload/census.** | Y/N | 185 row b = less than 125 |  |  |
| A | **26** | **Program uses standardized screening tool to determine eligibility.** | Y/N | 13 |  |  |
|  | **27** | **There is a fee for participating in the Drug Court.** | Y/N | 129 |  |  |
| H | **28** | **The Drug Court fee is based on an ability to pay.[[3]](#footnote-3)**  | Y/N | 130 |  |  |
| A | **29** | **The Drug Court documents the fee in the participant’s file or court file.** | Y/N | 131 |  |  |
|  | **30** | **The court ensures that no one is denied participation in the program solely because of inability to pay fines, fees, or restitution.** | Y/N | 132 = No |  |  |

**Key Component #4: Drug Court provides access to a continuum of alcohol, drug and other treatment and rehabilitation services.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| H | **31** | **Treatment is used as a supportive/therapeutic response not as a sanction.** *NOTE: Observe this item in the team meeting (staffing) and status hearing (court session).* | Fully met: YesPartially met: Sometimes Not met: No | OBSERVE |  |  |
|  | **32** | **One or two treatment agencies/professionals are primarily responsible for managing the delivery of treatment services for Drug Court participants.** | Y/N | 46, options 1 or 2OR48, Yes on rows 1 or 2 |  |  |
|  | **33** | **A validated clinical assessment instrument is utilized immediately upon admission to treatment.**  | Fully met: a validated assessment is used, within 21 days of treatmentPartially met: validated instrument –or– within 21 daysNot met: Neither  | 41AND 42, options a, b, or c |  |  |
|  | **34** | **The results of the assessment are the basis for the individualized treatment plan and placement in level of treatment.** | Fully met: YesPartially met: results used as one part of criteria for treatment plan/placementNot met: No | 40, Fully = both options, Partially = either option |  |  |
|  | **35** | **The treatment plan is updated regularly per a specified schedule.** | Y/N | 92, option b |  |  |
| A | **36** | **The Drug Court requires that eligible participants enroll in Alcohol and Other Drug Treatment services immediately upon entering (within 7 days).** | Y/N | 45, option a |  |  |
| H | **37** | **Participants receive a sufficient dosage and duration of treatment to achieve long-term sobriety and recovery from addiction (Usually 6-10 hours weekly during the initial phase and approximately 200 hours over 9-12 months).** | Y/N | 117 = 6 or moreAND 124 = 180 or greater |  |  |
| H | **38** | **Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program. The frequency of individual sessions may be reduced subsequently if doing so would be unlikely to precipitate a setback or relapse.** | Y/N | 116, options a-d |  |  |
|  | **39** | **Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants’ gender, trauma histories, and co-occurring psychiatric symptoms.** | Y/N | 38, row 2AND 50, options b, c, d for rows 8, 11, 12  |  |  |
|  | **40** | **The Drug Court offers a continuum of care for substance use disordered treatment including detoxification, outpatient, intensive outpatient, day treatment, and residential services.** | Fully met: Program has all specified levels of care available (5 types)Partially met: Program has most of the treatment modalities available (3-4 types)Not met: Program has notable gaps in treatment options (2 or fewer types) | 50 options b, c, d for rows 1-7 |  |  |
|  | **41** | **Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.** | Fully met: Participants are never incarcerated as a proxy for detox or sober housingPartially met: Incarceration occasionally used as an interim measureNot met: Incarceration occurs in lieu of treatment placement | 147Fully = neverPartially = rarely or sometimesNot = always |  |  |
|  | **42** | **Treatment groups ordinarily have no more than 12 participants and 2 leaders or facilitators.** | Fully met: both criteria (12 or fewer participants and 2 facilitators)Partially met: one of these criteriaNot met: Neither criterion | 56, both row 1 and 2 |  |  |
| H | **43** | **Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes (are evidence-based).** | Fully met: Manualized –and– evidence-basedPartially met: ManualizedNot met: Neither criterion | 55, options c, d for any rowReview the survey to see if there are other types written in |  |  |
|  | **44** | **Treatment providers are supervised regularly for fidelity to the models being used.** | Y/N | 57 |  |  |
|  | **45** | **Participants are prescribed psychotropic or addiction medications based on medical necessity as determined by a treating physician.** | Y/N | 50, row 11, options b, c, dOR 51, row 9 options b, c, dAND 51, row 10, options b, c, d |  |  |
|  | **46** | **Treatment providers are licensed or certified to deliver substance abuse treatment and have experience working with criminal justice populations.** | Fully met: Licensed/certified –and– experience with CJ populationPartially met: Either licensed/certified or experiencedNot met: Neither criterion | 49, Fully = both options Partially = either option |  |  |
| H | **47** | **The Drug Court offers gender specific services.** | Y/N | 50, row 8, options b, c, d |  |  |
|  | **48** | **The Drug Court offers mental health treatment when indicated and the treatment is integrated (offered simultaneously by the same clinicians).** | Fully met: Offers mh tx –and– tx is integratedPartially met: Offers mh txNot met: mh tx not offered | 50, row 9, options b, c, d |  |  |
|  | **49** | **The Drug Court offers or refers participants to parenting classes.** | Y/N | 50, row 18, options b, c, d |  |  |
|  | **50** | **The Drug Court offers or refers participants to family/domestic relations counseling.** | Y/N | 51, row 4, options b, c, d |  |  |
|  | **51** | **Program involves family member(s) or friend(s) to support the participant.** | Y/N | 54 = yes |  |  |
|  | **52** | **The Drug Court offers or refers participants to health related services.** | Y/N | 51, row 7, options b, c, d |  |  |
|  | **53** | **The Drug Court offers or refers participants to dental care.** | Y/N | 51, row 8, options b, c, d |  |  |
|  | **54** | **Participants receive standardized, validated criminal thinking interventions if needed** | Y/N | 51, row 12, options b, c, d |  |  |
|  | **55** | **Participants who need it are provided vocational/educational services.** | Fully met: Offers education and vocational servicesPartially met: Offers only education or vocational services Not met: Neither criterion | Fully met = 51, rows 1 AND 5, options b, c, dPartially met = 51, rows 1 OR 5, options b, c, d |  |  |
| O | **56** | **Participants are provided brief, evidence-based educational curriculum to prevent health risk behavior (e.g., STIs and other diseases).** | Y/N | 51, row 13, options b, c, d |  |  |
| O | **57** | **Participants are provided brief evidence-based educational curriculum to prevent or reverse drug overdose.** | Y/N | 51, row 14, options b, c, d |  |  |
| H | **58** | **The minimum length of the Drug Court program is 12 months or more.** | Y/N | 111, options b, c, or dOr text in “other” box indicating more than 12 |  |  |
|  | **59** | **The Drug Court program has processes in place to ensure the quality and accountability of the treatment provider (for example, team visits treatment provider, discusses evidence-based practices, surveys participants, etc.)** | Y/N | 57 any options a -e |  |  |
|  | **60** | **Participants regularly attend self-help or peer support groups. Before joining the mutual aid group, the treatment provider prepares the participants for what to expect in the group and assists them to gain the most benefit from the groups.** | Fully met: attend self-help –and– participant receives advance preparationPartially met: attend self-helpNot met: self-help groups not attended regularly | 50 row 16, option dOR120 OR 128, AND 121 |  |  |
| H | **61** | **Participants complete a final phase of the Drug Court focusing on a Recovery Management Plan (RMP). The RMP is primarily prepared by the participant (self-directed) in consultation with the counselor to ensure they continue to engage in prosocial activities and remain connected to recovery oriented systems of care after their discharge from Drug Court.** | Fully met: RMP –and– primarily prepared by participantPartially met: RMP; primarily established by staffNot met: No RMP created | 127Fully = a, b, and cPartially = a or b or c or dNo = e |  |  |
| H | **62** | **For at least the first 90 days after discharge from the Drug Court, systematic attempts are made to contact previous participants periodically be telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. (Recovery Management Check-In)** | Y/N | 157, row 4 |  |  |
| H | **63** | **The Drug Court conducts a complete assessment of the primary drug court participant and of the family members as well assessing multiple areas for strengths and needs (basic needs/ medical and dental/child care/educational/behavioral-social-emotional/trauma, etc.)** | Fully met: Assessment of both participant and family; covers all key domainsPartially met: Assessment of participant only; –or– assessment covers some but not all domainsNot met: No assessment completed | 53Fully = option bPartially = option cNot met = option a |  |  |
|  | **64** | **Program offers culturally-specific treatment services. Members of all racial/ethnic groups have access to the same levels of care and quality of treatment (including evidence-based practices)** | Fully met: Culturally-specific; all groups have access to quality carePartially met: all groups in same treatment typesNot met: Groups appear to have different access to careNot applicable: Program serves single racial/ethnic group | 50, row 14, options b, c, or dFully: AND 52, option b or dPartially: AND 52 option a Not met: AND 52, option cN/A: 50, row 14, option a AND 52 option d |  |  |
|  | **65** | **Caseloads for probation officers or other professionals providing community supervision for the Drug Court do not exceed 30 active participants (Caseloads can go up to 50 if staff has a mix of low risk and no other caseloads or responsibilities).** | Y/NCaseload less than 30 OR caseload between 31 and 50 with a mix of high risk/low risk clients and no other responsibilities | 77 = 30 or less OR77 = between 31 and 50 AND 78 = Yes AND 79 = No |  |  |
|  | **66** | **Caseloads for clinicians providing case management and treatment do not exceed 30 active participants (Caseloads can go up to 50 if providing counseling OR case management ).** | Y/NCaseload less than 30 OR caseload between 31 and 50 and providing only case management or treatment, not both | 80 = 30 or less OR 80 = between 31 and 50 and 81 = a or b |  |  |

**Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| A | **67** | **A written drug testing policy and procedure exists.** | Y/N | 94 |  |  |
|  | **68** | **Urinalysis testing is always observed by appropriate gender.** | Y/N | 96 |  |  |
|  | **69** | **Urine test samples are examined for dilution and adulteration.** | Y/N | 97, rows 1 and 2 |  |  |
|  | **70** | **Testing is random and unpredictable, occurring on weekends and holidays. (Client is not aware of when he/she is going to be tested)** | Y/NY includes if testing is random, unpredictable, and for cause. | 93, rows 1, 2, and 5  |  |  |
|  | **71** | **Breathalyzers are utilized in conjunction with testing.** | Y/N | 95, row 7 |  |  |
|  | **72** | **Procedures are in place for verifying contested test results.** | Y/N | 100 |  |  |
| H | **73** | **Drug urinalysis results are back to Drug Court within 48 hours or less.** | Y/N | 98, options a, b, c, or d |  |  |
| H | **74** | **Drug Court drug tests are collected at least two times per week on average throughout drug court phases.** | Y/N | 114, options a, b, or cAND123, options a, b, or c |  |  |
|  | **75** | **Participants are expected to have greater than 90 days clean (negative drug tests) before graduation.** | Y/N | 154, yes ANDMore than 90 days |  |  |

**Key Component # 6: A coordinated strategy governs drug court responses to participants’ compliance.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| H | **76** | **The Drug Court places as much emphasis on incentives as it does on other infractions.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Number of incentives and sanctions are balanced, or more incentives than sanctions given | OBSERVE |  |  |
|  | **77** | **Participants are not sanctioned for failing to respond to their assessed level of treatment.** | Fully met: Reassessment –and– adjustment to treatment planPartially met: Either reassessment or adjustment to treatment plan.Not met: Sanctioned. | 152, Fully = both options a & b, (not c), Partially = either option a or b (not c) |  |  |
|  | **78** | **Program considers whether a goal is distal or proximal when determining a sanction.***Note: confirm survey response by observing team meeting and court session.* | Y/N | 149, row 9AND OBSERVE |  |  |
|  | **79** | **Therapeutic responses or consequences are imposed for the nonmedically indicated use of intoxicating or addictive substances, regardless of the licit or illicit status of the substance.** | Y/N | 149, row 10 |  |  |
| H | **80** | **Sanctions are imposed immediately after significant non-compliant behavior (e.g., in advance of a client’s regularly scheduled court hearing for drug use or re-offending).***Note: confirm survey response by observing team meeting and court session.* | Y/N | 149, row 1AND OBSERVE |  |  |
|  | **81** | **Policies and procedures concerning the administration of incentives, sanctions and therapeutic adjustments are specified in writing and communicated in advance to Drug Court participants and team members but there is also a reasonable degree of discretion to modify consequences in light of circumstances presented in each case.** | Y/N | 149, rows 5, 7, 8, AND 12 |  |  |
|  | **82** | **Participants are given the opportunity to explain their perspectives concerning factual controversies and the imposition of incentives, sanctions, and therapeutic adjustments. Participant may have a representative assist in providing explanations.** | Y/N | 149, row 11 |  |  |
|  | **83** | **Participants receive a clear justification for why a particular consequence is or is not being imposed.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Fully met: YesPartially met: Somewhat (or for some participants)Not met: No | OBSERVE |  |  |
|  | **84** | **Participants receive equivalent consequences without regard to gender, race, ethnicity, socioeconomic status or sexual orientation unless clear justification exists.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Fully met: YesPartially met: Somewhat (or for some participants)Not met: No | OBSERVE |  |  |
|  | **85** | **Sanctions are delivered without expressing anger or ridicule.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Fully met: YesPartially met: Somewhat (or for some participants)Not met: No | OBSERVE |  |  |
| H | **86** | **The Drug Court has a range of progressive sanctions of varying magnitudes that may be administered in response to program noncompliance.** | Y/N | 143 |  |  |
|  | **87** | **In order to graduate, participants must have a job or be in school unless there are extenuating circumstances.** | Y/N | 156, row 1 |  |  |
|  | **88** | **Drug Court offers assistance finding safe, stable, and drug-free housing. In order to graduate, participants must have a sober housing environment.** | Fully Met: yes to both itemsPartially Met: yes to one of the two items Not Met: No to both items | 156, row 2 and 51, row 6, options b, c, or d |  |  |
|  | **89** | **Participants are required to pay court fees in order to graduate.** | Y/N | 156, row 6 |  |  |
|  | **90** | **In order to graduate participants must have paid all required program fees** | Y/N | 156, row 5 |  |  |
| H | **91** | **Jail sanctions are imposed judiciously, sparingly and progressively. Jail sanctions are definite in duration and last no more than three to five days.**  | Y/N | 146, rows 4-7, option d (never)AND149, row 13 |  |  |
|  | **92** | **Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.** | Y/N | 148 |  |  |
|  | **93** | **Members of historically disadvantaged groups receive the same incentives and sanctions as other participants.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Y/N | OBSERVE |  |  |
|  | **94** | **The judge is the ultimate arbiter and makes the final decision after taking into consideration the input of the Drug Court team members and discussing the matter in court with the participant.** | Fully – considers team input and discusses in court with participantsPartially – takes input of team or discusses in courtNot – does not consider team input and does not discuss in court | 103, rows 1, 3, and 4, option a |  |  |
|  | **95** | **The judge relies on the expert input of trained treatment professionals when imposing treatment-related conditions.** *NOTE: Base your rating on observation in team meeting (staffing) and status hearing (court session).* | Fully met: YesPartially met: SomewhatNot met: No | OBSERVE |  |  |
|  | **96** | **Drug Court has a medical expert who the team can consult with on medical issues, including the need for certain medication.** | Y/N | 177, row 8, options a or b  |  |  |
|  | **97** | **Phase promotion is based on achievement of realistic and defined objectives.** *NOTE: Review participant handbook or program manual criteria for phase promotion criteria.* | Fully met: YesPartially met: SomewhatNot met: No | REVIEW PARTICIPANT HANDBOOK or PROGRAM MANUAL |  |  |
|  | **98** | **Phase advancement and graduation include objective evidence that participants are engaged in productive activities, such as employment, education, or attendance in peer support groups.** *NOTE: Review participant handbook or program manual criteria for phase promotion criteria; Ask participants in focus group.* | Fully met: Program materials indicate participants must be engaged in multiple productive activities to advance or graduate.Partially met: Participants must be engaged in at least one productive activity to advance/graduateNot met: Participants can be promoted or graduate without clear evidence of productive activities. | REVIEW PARTICIPANT HANDBOOK or PROGRAM MANUAL; ASK PARTICIPANTS IN FOCUS GROUP |  |  |
|  | **99** | **Participants may be terminated from Drug Court if they no longer can be managed safely or they fail repeatedly to comply with treatment or supervision requirements. Participants are not terminated from the Drug Court for continued substance use if they are otherwise generally compliant.** | Y/N | 158, options 6, 7, OR 12 |  |  |
|  | **100** | **Graduates of the Drug Court avoid a criminal record, avoid incarceration, receive a substantially reduced sentence or disposition, or have reduced fines or fees as an incentive for completing the program.** | Y/N | 43, any yes in rows 1-6 |  |  |
|  | **101** | **Participants terminated early receive a sentence or disposition for the offense that brought them into drug court.** | Y/N | 159 |  |  |

**Key Component # 7: Ongoing judicial interaction with each participant is essential.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
| H | **102** | **Judge regularly attends pre-court team meetings (staffings) to review each participant’s progress and potential consequences and incentives for performance.**  | Y/N | 71, row 5, option a |  |  |
| H | **103** | **Participants appear before the judge for status hearing (court session) no less than every 2 weeks during the first phase. Frequency may be reduced after initiation of abstinence but no less frequently than every 4 weeks until the last phase of the program.** | Fully met: at least every 2 weeks in phase 1; at least ever 4 weeks through end of program.Partially met: frequency meets goal at beginning or end of program.Not met: participants go longer between sessions. | 118, option a-eAND125, option a-f |  |  |
| H | **104** | **The judge spends a minimum of approximately 3 minutes at a minimum interacting with each participant in court.** | Y/N | Calculate based on 101 divided by 102AND Calculate based on observation of court session |  |  |
|  | **105** | **The judge presides over the Drug Court for no less than 2 consecutive years to maintain continuity and knowledge about Drug Court.** | Fully met: 2 years of consecutive experience.Partially met: 2 years of cumulative experience.Not met: newer judge. | 106 option a OR 106 option b AND 108, option c or d, or other response that is longer than 2 years |  |  |
|  | **106** | **The judge was assigned to Drug Court on a voluntary basis.** | Y/N | 105 |  |  |
|  | **107** | **Participants appear before the same judge throughout Drug Court.** | Y/NY can still include an occasional substitute judge for vacation or illness of the primary judge | 107 |  |  |
|  | **108** | **The judge offers supportive comments to participants, stresses the importance of their commitment to treatment and other program requirements and expresses optimism.** *NOTE: Base your rating on observation in status hearing (court session).* | Fully met: YesPartially met: Somewhat or for some participantsNot met: No | OBSERVE |  |  |

**Key Component # 8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
|  | **109** | **Drug Court monitors adherence to best practices on at least an annual basis and develops an action plan to address deficiencies.** | Fully met: all options are metPartially met: at least one item of b-e met | 167, options a-e |  |  |
| H | **110** | **Specific goals and objectives have been established to measure the effectiveness of the program.** | Y/N | 164 |  |  |
|  | **111** | **The program employs an automated system to collect data and aggregated data reports are provided to the drug court team, policymaking group, and/or the public.** | Y/N | 160, row 1AND row 3 |  |  |
|  | **112** | **Drug Court continually monitors participant outcomes during the program (including attendance, graduation rate, drug and alcohol test results, length of stay, technical violations, new arrests, etc.)** | Y/N | 160, row 2 |  |  |
| O | **113** | **Where information is available, criminal recidivism is monitored for at least 3 years post entry.** | Fully met: information is available, recidivism is measured and tracked for 3 or more yearsPartially met: information is available, recidivism is measured or trackedN/A if information is not available | Fully met = 171, rows 1, 2, and 3 = YesPartially met = 171, row 1 and row 2 or row 3N/A = 171, row 1 = No |  |  |
| O | **114** | **Program has skilled and independent evaluator look at best practices and participant outcomes.** | Y/N | 168 OR 169 |  |  |
|  | **115** | **The results of program evaluations have led to modifications in Drug Court operations.** | Y/N | 170 |  |  |
|  | **116** | **Review of the data and/or regular reporting of program statistics have led to modification in Drug Court operations.** | Y/N | 165 AND 166 |  |  |
|  | **117** | **Drug Court has a process is in place to get feedback from participants regarding their Drug Court experience.** | Y/N | 172 |  |  |
|  | **118** | **The Drug Court monitors whether members of historically disadvantaged groups are admitted and complete the program at equivalent rates to other participants and develops remedial action if this is not the case.**  | Y/N | 173, options a and b |  |  |
| H | **119** | **The program collects data and assesses whether members of historically disadvantaged groups receive the same dispositions as other participants for completing or failing to complete the Drug Court.**  | Y/N | 174 |  |  |
|  | **120** | **Staff members record information about services and program outcomes within 48 hours. Timely and reliable data entry is part of performance evaluation.** | Fully met: Both itemsPartially met: one of the two itemsNot met: neither item | 162, options a, b, or c AND 163, option a |  |  |

**Key Component #9: Continuing interdisciplinary education promotes effective Drug Court planning, implementation, and operations.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
|  | **121** | **All new hires to the Drug Court team complete a formal training or orientation.** | Y/N | 176, row 6, option a  |  |  |
|  | **122** | **Drug Court team members are educated across disciplines.** | Y/N | 176, row 7, option a |  |  |
|  | **123** | **Drug Court team members attend up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts.** | Y/N | 176, row 2, option a |  |  |
|  | **124** | **The Drug Court judge attends training (legal and constitutional issues, judicial ethics, evidence-based treatment, behavior modification and community supervision).** | Y/N | 104, row 1OR 135, row 1 OR 175, row 1 |  |  |
|  | **125** | **The team occasionally meets outside of regular staffing and court sessions to address program policies and training needs.** | Y/N | 83 option 2 |  |  |

**Key Component # 10: Forging partnerships among Drug Courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.**

| **Rating** | **Item #** | **Practice/Standard** | **Scoring** | **Survey item** | **Notes** | **Met** |
| --- | --- | --- | --- | --- | --- | --- |
|  | **126** | **The Drug Court has a policy committee.** *(can be the drug court team if the members have the proper decision-making authority)* | Y/N | 83, option 1 |  |  |
|  | **127** | **The Drug Court has an advisory committee.** *(including representatives from community organizations)* | Y/N | 85, option a |  |  |
|  | **128** | **The Drug Court team members provide information regarding the program through presentations to groups and individuals in the community.** | Y/N | 177, row 9, options a or b |  |  |
|  | **129** | **Secular alternatives to 12-step groups are available to participants who object to the religious content of 12-step groups.** | Y/N | 50, row 17, options b-d |  |  |
| O | **130** | **Program has a Mental Health Specialist as part of the team and agreements with community mental health service agencies.** *[optional]* | Y/N | 62, option 11AND177, row 7, options a or b |  |  |

1. In Montana enabling legislation [↑](#footnote-ref-1)
2. By prosecuting attorney or someone else designated for this role. [↑](#footnote-ref-2)
3. Required in Montana statute. [↑](#footnote-ref-3)